

Memorandum



Date: May 8, 2007

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George W. Burgess
County Manager

Subject: Resolution Waiving Formal Bid Procedures

Agenda Item No. 8(0)(1)(C)

This package was presented to the Budget and Finance Committee at their April 10, 2007 meeting as Agenda item 3C. At the direction of the Committee, Item 1.1 (Elevator and Escalator Maintenance and Repairs Services), was bifurcated from the original bid waiver package for placement on the Board of County Commissioners' agenda as a stand alone item.

Recommendation

It is recommended that the Board of County Commissioners waive competitive bidding procedures for the attached contracts to purchase goods and services pursuant to Section 2-8.1 of the County Code and Section 4.03(D) of the Home Rule Charter, in the best interest of Miami-Dade County.

Scope

The impact of the items in the accompanying Bid Waiver Package is countywide in nature.

Fiscal Impact/Funding Source

The accompanying Bid Waiver Package states the funding source for each department utilizing a contract. It should be noted that no funds are to be expended on any contract if the department's budget cannot support such expenditures.

Track Record/Monitor

None of the recommended vendors in the accompanying Bid Waiver Package have been noted as in default of any county contracts. Each department's contract manager is reflected in the accompanying Bid Waiver Package.

Background

Section 1 SOLE SOURCES

There are no items for this section.

Section 2 BID WAIVERS

There are no items for this section.

Section 3 COMPETITIVE BID WAIVERS

There are no items for this section.

Section 4 EMERGENCY PURCHASES

An emergency purchase under Administrative Order 3-38 is an unforeseen or unanticipated urgent and immediate need for goods or services where the protection of life, health, safety or welfare of the community, or the preservation of public properties, would not be possible using other purchasing methods described in Administrative Order 3-38.

Item 4.1: Cleaning Bloodborne Pathogens is to ratify an emergency award for the cleaning of bloodborne pathogens for various County departments. The Miami-Dade Transit (MDT) Department allocation will be funded with proceeds from the Charter County Transit Systems Sales Surtax. As a direct result of People's Transportation Plan (PTP), MDT has purchased more buses and added new transportation routes to better service the needs of the community and attract new riders. This has increased the number of riders which require additional clean up, disinfection and decontamination service.

Item 4.2: Operations and Maintenance (O & M) Full Support Contract is to ratify an emergency award for the purchase of continuity services of Operations & Maintenance (O & M) Full Support Contract for security systems for the Miami-Dade Aviation Department.

Item 4.3: Waterborne Security and Patrol Services is to ratify an emergency award to provide waterborne patrol services from the Florida Fish and Wildlife Conservation Commission for the Seaport Department.

Section 5 NON-COMPETITIVE CONTRACT MODIFICATIONS

A noncompetitive contract modification is when the requested supplemental allocation for goods or services significantly exceeds the scope of the original contract award and allocation representing, therefore, a waiver of the competitive bidding process under Administrative Order 3-38 for the additional goods and services.

Item 5.1: Aladdin Retherm Refrigerator and Shelf Retherm Carts and Associated Spare Parts is for additional spending to purchase equipment and parts to repair the existing Double Bay Retherm Refrigerator and Shelf Retherm Carts for the Miami-Dade Corrections and Rehabilitation Department.

Section 6 CONFIRMATION (UNAUTHORIZED) PURCHASES

Item 6.1: Waterborne Security and Patrol Services is to ratify the award of a confirmation purchase to the Florida Fish and Wildlife Conservation Commission for waterborne security and patrol services provided for the Seaport Department.

Section 7 REQUESTS FOR AUTHORITY TO EXERCISE OPTIONS-TO-RENEW (OTR) PERIODS UNDER EXISTING NON-COMPETITIVE CONTRACTS THAT WOULD BRING THE CUMULATIVE CONTRACT VALUE TO MORE THAN \$100,000

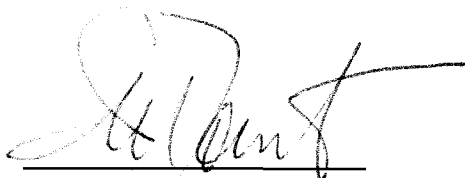
The non-competitive contract(s) listed in this section require approval to exercise future options-to-renew (OTR) contained in the contract that would, if exercised, bring the cumulative value of the contract over \$100,000. Each of the contract(s) were awarded under the County Manager's delegated authority pursuant to Section 2-8.1(b) of the County Code and the Master Procurement Administrative Order, A.O. 3-38, and each contains an OTR provision that will, if exercised, bring the cumulative value of the contract above \$100,000. Per Administrative Order 3-38, the County Manager's delegated authority for non-competitive procurements is capped at \$100,000.

Item 7.1: Traffic Control Computer Hardware Maintenance is for approval to exercise the option-to-renew (OTR) period for this contract established to provide maintenance to the traffic control computer hardware for the Public Works Department.

Section 8 REQUESTS FOR RETROACTIVE APPROVAL FOR THE EXECUTION OF OPTIONS-TO-RENEW (OTR) PERIODS UNDER EXISTING NON-COMPETITIVE CONTRACTS AWARDED UNDER THE MANAGER'S DELEGATED AUTHORITY

The contract(s) listed in this section were awarded under the County Manager's delegated award authority pursuant to Section 2-8.1(b) of the County Code and the Master Procurement Administrative Order, A.O. 3-38. These contract(s) contain option-to-renew periods. These contract(s), when originally awarded, were valued below \$100,000. Subsequently, the option-to-renew periods were exercised which caused the cumulative value of the contract to exceed the \$100,000 threshold. Historically, these options-to-renew were exercised under the County Manager's delegated authority. Prospectively in the interest of transparency and full disclosure, we will be presenting these items to the Board for approval. This practice is consistent with that requested by the Board for competed contracts valued up to \$1 million awarded under the County Manager's delegated authority. Retroactive approval of the execution of option-to-renew periods is now requested.

Item 8.1: Odor Control System Parts and Maintenance is to ratify the execution of the Option-to-Renew (OTR) periods and approve the final OTR for this non-competitive contract to provide parts and maintenance to the odor control system for the Miami-Dade Water and Sewer Department.


Assistant County Manager



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: May 8, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 8(O)(1)(C)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☒ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(O)(1)(C)
05-08-07

RESOLUTION NO. _____

RESOLUTION WAIVING FORMAL BID
PROCEDURES FOR THE PURCHASE OF GOODS
AND SERVICES AND AUTHORIZING THE COUNTY
MAYOR TO AWARD SAME, WITH AUTHORITY TO
EXERCISE OPTIONS-TO-RENEW ESTABLISHED
THEREUNDER

WHEREAS, the County Manager recommends to this Board to waive formal bid procedures for the purchase of goods and services which cannot be purchased under normal bid procedures,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board finds it is in the best interest of Miami-Dade County to waive formal bid procedures for the purchase of goods and services and to authorize the County Mayor to award such contracts, with authority to exercise options-to-renew established thereunder pursuant to Section 4.03(D) of the Home Rule Charter and Section 2-8.1 of the County Code by a two-thirds (2/3s) vote of the Board members present.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman
Barbara J. Jordan, Vice-Chairwoman

Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

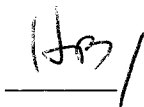
The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of May, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board with the exception of those items which the attached list specifically describes as funded or potentially funded by proceeds from the Charter County Transit System Surtax. The effectiveness of those is subject to the provisions of subsection (e) of section 29-124 of the County Code which specifies "no award shall be effective and no contractual relationship shall arise with the County unless and until approved by the [Citizens' Independent Transportation] Trust or re-affirmed by the County Commission."

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Hugo Benitez

It is recommended that the Board of County Commissioners waive the use of the formal bidding process for the items listed in this package pursuant to Section 4.03 (D) of the Home Rule Charter in the best interest of Miami-Dade County.

SECTION #4
EMERGENCY PURCHASES

Item 4.1

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) waive formal bid procedures and ratify an emergency award for the cleaning of bloodborne pathogens for various County departments. The Miami-Dade Transit (MDT) Department allocation will be funded with proceeds from the Charter County Transit Systems Sales Surtax to the extent justified by the allocation model that will charge the Surtax of the cost of any additional services implemented as a result of the approval of the sales tax. Additionally, construction items and/or construction related services purchased to provide ongoing preventive maintenance and/or repair services to MDT capital projects (as reflected in the Miscellaneous Capital Improvement Projects listing, as modified and approved, by the Board of County Commissioners on October 3, 2003) are to be funded 100% by the Surtax. As a direct result of People's Transportation Plan (PTP), MDT has purchased more buses and added new transportation routes to better service the needs of the community and attract new riders. This has increased the number of riders which require additional clean up, disinfection and decontamination of fluids.

Contract No: E8223-0/07

Contract Title: Cleaning Bloodborne Pathogens

Description: To establish an emergency contract to provide for the cleaning of bloodborne pathogens.

Term: One month (March 1, 2007 through March 31, 2007)

Contract Amount: \$33,005

**Using/Managing Agencies
and Funding Sources:**

<u>Department Using PTP Funds</u>	<u>Allocation</u>	<u>Funding Source</u>
Transit	\$26,295	Operating Revenue and Surtax

<u>Other Departments</u>	<u>Allocation</u>	<u>Funding Source</u>
Housing	\$ 881	Federal Revenue
Police	\$ 5,829	General Fund
Sub-total:	\$ 6,710	

Total: \$33,005

**Previous Contract
Allocation:** \$629,850 for an eighteen-month term

Method of Award:	Emergency awarded to the vendor who provided services on the previous contract.	
Vendor:	Address	Principal
•International Protective Services Inc. (Local vendor)	2231 Hollywood Blvd. Hollywood, FL 33020	Walter F. Philbrick
Contract Measure:	None	
Review Committee Date:	Contracts valued at \$50,000 and under are not reviewed by the Review Committee as they are covered under the Micro Enterprise (MBE) Bid Preference.	
Local Preference:	Not applicable	
Living Wage:	The Living Wage Ordinance does not apply.	
User Access Program (UAP):	This contract includes the User Access Program (UAP) provision. The 2% program discount will be collected on all purchases that are not federally funded.	
Contract Managers:	Drakus Wiggins, Department of Procurement Management Mari Saydal, Miami-Dade Housing Agency Laura Romano, Miami-Dade Police Department Laverne Rentz, Miami-Dade Transit Department	
Contract Effective Date:	March 1, 2007 subject to retroactive approval by the Board.	

JUSTIFICATION

Seeking ratification of an emergency contract awarded by the Miami-Dade Transit Department (MDT) for the cleaning of bloodborne pathogens awarded to the vendor on the previous contract.

Services for the cleaning of bloodborne pathogens were being provided under Contract No. 6035-2/06-2 which expired on February 28, 2007. Bid No. EPP6035-4/11 to establish a replacement contract was recommended for award on December 14, 2006 and was protested by the incumbent vendor on December 20, 2006. The protest was heard by a hearing examiner and a ruling was communicated on January 16, 2007 to dismiss the protest.

The Board awarded the replacement contract on March 20, 2007, with the effective date of April 1, 2007. This emergency award with the incumbent vendor was necessary to provide continuity of services through the month of March 2007. The incumbent vendor is not the recommended vendor on the replacement contract.

The issuance of this emergency contract was certified by the director of the Miami-Dade Transit Department, as required by *Administrative Order 3-38*.

Item 4.2

RECOMMENDATION

It is recommended that the Board of County Commissioners waive formal bid procedures and ratify an emergency award for the purchase of continuity services of Operations & Maintenance (O & M) Full Support Contract for security systems for the Miami-Dade Aviation Department (MDAD). The requested allocation will provide MDAD with the requested maintenance support services for the operations and maintenance of various security systems.

Contract No: E8225-0/07

Contract Title: **Operations and Maintenance (O & M) Full Support Contract**

Description: This contract provides MDAD with the necessary resources to pay Ericsson Inc. for the continuity of services for the Operations & Maintenance (O & M) Full Support for various security systems.

Term: Six months (March 1 through August 31, 2007)

Contract Amount: \$351,407.34

**Using/Managing Agencies
and Funding Sources:**

<u>Department</u>	<u>Allocation</u>	<u>Funding Source</u>
Aviation	\$351,407.34	Operating Revenue

**Previous Contract
Allocation:** Not applicable

Method of Award: Emergency

Vendor:	Address	Principal
•Ericsson, Inc. (Non-local vendor)	3001 Executive Drive, Suite 210 Clearwater, FL 33762	David Jacobs

Contract Measure: None

Review Committee Date: February 14, 2007; Item #2-01

Local Preference: Not applicable

Living Wage: The Living Wage Ordinance does not apply.

User Access Program (UAP): This contract does not include the User Access Program (UAP) provision. The Department of Aviation is exempt from paying UAP fees due to this being funded by revenue.

Contract Managers: Leida Altman Carrillo, Department of Procurement Management

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Contract Effective Date: March 1, 2007 subject to retroactive approval by the Board.

JUSTIFICATION

The Miami-Dade Aviation Department (MDAD) is seeking ratification of an emergency purchase to pay Ericsson for continuity of services for the Operations & Maintenance (O & M) Full Support Contract for the existing security systems.

Operation and Maintenance services consists of preventive maintenance, corrective maintenance, software upgrades and warranty actions pursuant to, and as defined in, MDAD Project F034F – Security Rooms, Associated Cable and Equipment, and Systems Integration Project. In addition, the O&M contract includes trouble ticketing, trouble identification, advanced trouble isolation, advanced trouble resolution, testing and implementation. The O&M services were being provided as part of the original contract with AFCO, the contractor that installed the system in February of 2004. That contract expired at the end of February 2007.

Due to the complexities in finalizing the new contract terms, additional time is needed to ensure that an effective and long term arrangement can be established. The final contract will be sent to the Board for approval once it is executed by the vendor.

Item 4.3

RECOMMENDATION

It is recommended that the Board of County Commissioners waive formal bid procedures and ratify an emergency award for waterborne patrol services for the Seaport Department.

Contract No: E8234-0/07

Contract Title: **Waterborne Security and Patrol Services**

Description: To establish an emergency contract to provide waterborne patrol services from the Florida Fish and Wildlife Conservation Commission (FFWCC) for the Seaport Department.

Term: Four months (February 27, 2007 through June 22, 2007)

Contract Amount: \$125,000 for the four month term

<u>Departments</u>	<u>Allocation</u>	<u>Funding Source</u>
Seaport	\$125,000	Operating Revenue

Method of Award: Emergency awarded to the vendor who provided services on the previous contract

Vendor: •Florida Fish and Wildlife Conservation Commission (State agency)	Address 620 S. Meridian St. Tallahassee, FL 32399-1600	Ken Haddad (Director)
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Contract Measure: None

Review Committee Date: January 31, 2007; Item #2-02

Local Preference: Not applicable

Living Wage: The Living Wage Ordinance does not apply.

User Access Program (UAP): This contract does not include the User Access Program (UAP) provision as it was awarded on an emergency basis by the Seaport Department.

Contract Managers: María Hevia, Department of Procurement Management
Phillip Rose, Seaport Department

Contract Effective Date: February 27, 2007 subject to retroactive approval by the Board.

JUSTIFICATION

Seeking ratification of an emergency contract awarded by the Seaport Department for waterborne patrol services provided by law enforcement officers from Florida Fish and Wildlife Conservation Commission (FFWCC) from February 27, 2007 to June 22, 2007. The services provided are mandated by federal regulations.

These security patrol services are highly specialized and include monitoring of the Port of Miami's (POM) waterside and surrounding areas and vessels. Other duties include, but are not limited to, the deterrence of individuals from committing security breaches and compliance with homeland security guidelines. The U.S. Coast Guard has advised the POM that operations cannot continue without the security patrol services. POM has initiated the process of establishing a Memorandum of Agreement between the County and FFWCC to procure the required waterborne security patrol services. These negotiations are in progress and the agreement will be presented to the Transportation Committee in May and to the Board in June 2007.

Two confirmation purchases have been processed: the first in the amount of \$92,553.90 to pay for services rendered from February 17, 2006 to June 22, 2006 and the second in the amount of \$139,097.85 to pay for services rendered June 23, 2006 and December 21, 2006 which is part of this agenda package listed under **Item 6.1**. A third confirmation purchase will be processed to cover services provided from December 22, 2006 to February 26, 2007 once invoices are received from the POM. This emergency award will provide these services until the Agreement is in place. See attached Table 1.

The issuance of this emergency contract was certified by the director of the Seaport Department, as required by *Administrative Order 3-38*.

Table 1
Seaport Department
Purchases for Waterborne Security and Patrol Services

Approval Date	Contract Number	Dollars	Effective Date
Approved administratively in January 2007	CP3004-SP	\$ 92,554	February 17, 2006 to June 22, 2006
Pending approval by the Board on April 24, 2007	CP8251-SP	\$139,098	June 23, 2006 to December 21, 2006
Pending receipt of invoices			December 22, 2006 to February 26, 2007
Pending approval by the Board on April 24, 2007	E8234-0/07	\$125,000	February 27, 2007 to June 22, 2007
			The Seaport Department will present the Memorandum of Agreement with the Florida Fish Life Conservation Commission (FFWCC) to the Transportation Committee in May 2007 and to the Board in June 2007

SECTION #5
NON-COMPETITIVE CONTRACT MODIFICATIONS

Item 5.1

RECOMMENDATION

It is recommended that the Board of County Commissioners approve a modification to this non-competitive contract with Aladdin Temp-Rite for additional spending authority to purchase equipment and parts to repair the existing Double Bay Retherm Refrigerator and Shelf Retherm Carts for the Miami-Dade Corrections and Rehabilitation Department.

Contract No.: SS8080-4/11

Contract Title: **Aladdin Retherm Refrigerator and Shelf Retherm Carts and Associated Spare Parts**

Description: This contract is established for the purchase of new and future replacement Double Bay Retherm Refrigerator and Shelf Retherm Carts. This supports the distribution of hot and cold meals within correctional facilities.

Initial Contract Term and Estimated Usage: August 1, 2006 through July 31, 2007
\$ 937,276 for one year, with four, one-year options-to-renew
\$ 185,000 modification approved by DPM December 27, 2006
\$1,122,276 for one year

Options-to-Renew and Estimated Usage: None

Type of Change: Additional spending authority

Existing Allocation: \$1,122,276

Increase By: \$ 300,000

Modified Allocation: \$1,422,276

Using/Managing Agencies and Funding Sources:

<u>Department</u>	<u>Existing Allocation</u>	<u>Additional Allocation</u>	<u>Modified Allocation</u>	<u>Funding Source</u>
Corrections and Rehabilitation	\$1,122,276	\$300,000	\$1,422,276	General Fund

Current Expiration: July 31, 2007

Modified Expiration: Unchanged

Vendor: •Aladdin Temp-Rite (Non-local vendor)	Address 250 E. Main Street Hendersonville, TN 37075	Principal Vivian B. Woodruff
Contract Measure:	None	
Local Preference:	Applied in accordance with the Local Preference Ordinance.	
Living Wage:	The Living Wage Ordinance does not apply.	
User Access Program (UAP):	This contract includes the User Access Program (UAP) provision. The 2% discount will be collected	
Contract Managers:	Albert Falcón, Department of Procurement Management Mohammed Haq, Miami-Dade Corrections and Rehabilitation Department	
Contract Modification Effective Date:	The effective date of this contract modification will be 10 days after its adoption by the Board and expiration of the Mayoral veto period.	

REASON FOR CHANGE

Authorization is necessary for additional spending authority to purchase equipment and parts to repair the existing Double Bay Retherm Refrigerator and Shelf Retherm Carts.

The Corrections and Rehabilitation Department is requesting an additional allocation to purchase repair parts and maintenance for existing retherm equipment for the remainder of the contract term. The Department received authorization to spend \$1.1 million dollars through the Capital Improvement Project 382340 for new replacement equipment during FY2006-2007. The new equipment has been received and has depleted the funding for this contract term. The additional funds are necessary to cover the maintenance and repair parts for the existing equipment that was not replaced. Since additional capital funds for replacement of units will not be available until FY 2007-2008, the additional allocation is needed to purchase replacement parts to keep remaining units operational.

Market research confirms that Aladdin Temp-Rite is the only source for new equipment and spare parts for Aladdin equipment.



SECTION #6
CONFIRMATION (UNAUTHORIZED) PURCHASES

Item 6.1

RECOMMENDATION

It is recommended that the Board of County Commissioners ratify the award of a confirmation purchase to the Florida Fish and Wildlife Conservation Commission for waterborne security and patrol services provided for the Seaport Department.

Contract No:	CP8251-SP	
Contract Title:	Waterborne Security and Patrol Services	
Description:	To purchase waterborne security and patrol services.	
Term:	June 23, 2006 to December 21, 2006	
Contract Amount:	\$139,097.85	
Department:	Seaport	
Funding Source:	Operating Revenue	
Vendor:	Address	
•Florida Fish & Wildlife Conservation Commission (State agency)	620 S. Meridian St. Tallahassee, FL 32399-1600	Ken Haddad (Director)
Contract Measure:	None	
Review Committee Date:	None	
Living Wage:	The Living Wage Ordinance does not apply	
Contract Managers:	Lourdes Betancourt, Department of Procurement Management Phillip Rose, Seaport Department	

JUSTIFICATION

Seaport Department requests retroactive approval to pay Florida Fish & Wildlife Conservation (FFWCC) for waterborne security and patrol services provided by law enforcement officers from Florida Fish and Wildlife Conservation Commission between June 23, 2006 to December 21, 2006. The services provided are mandated by federal regulations.

This is a second confirmation purchase from Seaport Department to procure these services. The first confirmation purchase was processed by the Department of Procurement Management (DPM) early this year in the amount of \$92,553.90 to pay for the services rendered from February 17, 2006 to June 22, 2006. A third confirmation purchase will be processed to cover services provided from December 22, 2006 to February 26, 2007 once invoices are received from the POM. Emergency Contract, E8234-0/07, to cover the services from February 27, 2007 to June 22, 2007 is being presented to the Board of County Commissioners for retroactive approval in this agenda package and listed is as **Item 4.3**. See attached Table 1.

These security patrol services are highly specialized services and include monitoring of the Port of Miami's (POM) waterside and surrounding areas, and vessels. Other duties include but are not limited to the deterring of security breaches and meeting the homeland security guidelines. The U.S. Coast Guard had advised POM that operations could not continue without the security patrol services. POM initiated the process of establishing an Intergovernmental Agreement with the County and FFWCC to procure the required waterborne security patrol services. These negotiations are in progress and the agreement will be presented to the Transportation Committee in May and to the Board in June 2007.

Table 1
Seaport Department
Purchases for Waterborne Security and Patrol Services

Approval Date	Contract Number	Dollars	Effective Date
Approved administratively in January 2007	CP3004-SP	\$ 92,554	February 17, 2006 to June 22, 2006
Pending approval by the Board on April 24, 2007	CP8251-SP	\$139,098	June 23, 2006 to December 21, 2006
Pending receipt of invoices			December 22, 2006 to February 26, 2007
Pending approval by the Board on April 24, 2007	E8234-0/07	\$125,000	February 27, 2007 to June 22, 2007
			The Seaport Department will present the Memorandum of Agreement with the Florida Fish Life Conservation Commission (FFWCC) to the Transportation Committee in May 2007 and to the Board in June 2007

SECTION #7
REQUESTS FOR AUTHORITY TO EXERCISE OPTIONS-TO-RENEW (OTR) PERIODS
UNDER EXISTING NON-COMPETITIVE CONTRACTS THAT WOULD BRING THE
CUMULATIVE CONTRACT VALUE TO MORE THAN \$100,000

Item 7.1

RECOMMENDATION

It is recommended that the Board of County Commissioners authorize the final Option-to-Renew (OTR) period for this non-competitive contract to provide maintenance to the traffic control computer hardware for the Public Works Department (PWD). The current contract term expires on June 30, 2007. Exercising the final option-to-renew period will bring the cumulative value of the contract over \$100,000 for a total value of \$135,000.

The Public Works Department allocation will be funded with proceeds from the Charter County Transit Systems Sales Surtax to the extent justified by the allocation model that will charge the Surtax of the cost of any additional services implemented as a result of the approval of the sales tax. Additionally, construction items and/or construction related services purchased to provide ongoing preventive maintenance and/or repair services to MDT capital projects (as reflected in the Miscellaneous Capital Improvement Projects listing, as modified and approved, by the Board of County Commissioners on October 3, 2003) are to be funded 100% by the Surtax. The Traffic Control Computer Hardware Maintenance contract will be utilized as support for the overall Advanced Traffic Management System (ATMS). The upgrading of the County's signalization system and implementation of the new ATMS was included in the ordinance as a PTP project. Therefore, PWD needs to be able to access all contracts related to signal maintenance and hardware for the timely implementation of this project.

Contract No.: BW6089-2/08-1

Contract Title: Traffic Control Computer Hardware Maintenance

Description: This contract is established for the purchase of a maintenance service agreement that will provide monthly maintenance and 24-hour emergency service to the Modcomp Computer System located in the Traffic Control Center in the Traffic Signals & Signs Division of Public Works.

Initial Contract Term and Estimated Usage: July 1, 2005 through June 30, 2006
\$45,000 for one year, with two, one-year options-to-renew

Option-to-Renew and Estimated Usage:

First Option-to-Renew: July 1, 2006 through June 30, 2007
\$45,000 for one year
Second Option-to-Renew: July 1, 2007 through June 30, 2008
\$45,000 for one year

**Using/Managing Agencies
and Funding Sources:**

<u>Department</u>	<u>Existing Allocation</u>	<u>Funding Source</u>
Public Works	\$45,000	General Fund and PTP

Contract Measure: None

Local Preference: Not applicable

User Access Program (UAP): This contract includes the User Access Program (UAP) provision. The 2% discount will be collected.

Vendor:	Address	Principal
•Modcomp, Inc. (Local vendor)	1500 South Powerline Road Deerfield Beach, FL 33442-8162	Faustino Mora

Contract Managers: Margaret Waters, Department of Procurement Management

Orky Rodríguez, Public Works Department

JUSTIFICATION

This contract is to provide maintenance to the traffic computer system located in the Traffic Control Center of the Traffic Signals and Signs Division in Public Works.

The primary function performed by the Modcomp Computer System is to control and monitor over 2,000 Miami-Dade County traffic signals. Because this function is critical to the safe and efficient movement of vehicular and pedestrian traffic throughout the County, it is imperative that the computer system is operational at all times.

Modcomp is the proprietary provider for the Traffic Control Computer and related hardware located in the Traffic Signals and Signs Division of Public Works. Modcomp, as the Original Equipment Manufacturer (OEM), has performed all system upgrades, requested modifications, and system maintenance since the systems' implementation in the early 1970s. It is considered to be in the best interest of the County to continue use of this vendor to provide these mission critical system maintenance and support services.

Item 7.2

RECOMMENDATION

It is recommended that the Board of County Commissioners authorize Option-to-Renew (OTR) periods for this non-competitive contract to provide maintenance and repair services and parts for storm water pump stations operated by the Public Works Department. The current contract term expires on April 30, 2007. Exercising the option-to-renew periods will bring the cumulative value of the contract over \$100,000 for a total value of \$270,000.

Contract No.: SS7319-2/09

Contract Title: **Storm Water Pump Station Service**

Description: This contract is established for the purchase of a maintenance and repair services and parts for the storm water pump stations in the County.

Initial Contract Term and Estimated Usage: May 1, 2006 through April 30, 2007
\$90,000 for one year, with two, one-year options-to-renew

Option-to-Renew and Estimated Usage:

First Option-to-Renew: May 1, 2007 through April 30, 2008
\$90,000 for one year

Second Option-to-Renew: May 1, 2008 through April 30, 2009
\$90,000 for one year

Using/Managing Agencies and Funding Sources:

<u>Department</u>	<u>Existing Allocation</u>	<u>Funding Source</u>
Public Works	\$90,000	General Fund

Contract Measure: None

Local Preference: Not applicable

User Access Program (UAP): This contract includes the User Access Program (UAP) provision. The 2% discount will be collected.

Vendor: •Moving Water Industries Corporation (Local vendor)	Address 201 N Federal Hwy Deerfield Beach, FL 33441	Principal David J. Eller
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Contract Managers: Albert Falcón, Department of Procurement Management

Orky Rodríguez, Public Works Department

JUSTIFICATION

This contract is to provide maintenance and repair services and parts to the storm water pump stations operated by the Public Works Department. These pump stations provide flood protection to low lying basin areas during the routine rain events and are critical to welfare of the County citizens residing in these areas. Malfunctioning of any of these stations during a rain or storm may result in property damage.

These pump stations were designed and installed by Moving Water Industries Corp. (MWI) and it holds proprietary rights for these pump stations. MWI does not authorize any dealers, distributors or any other company to provide service or parts for these pump stations.

Moving Water Industries Corp. (MWI) is the only authorized company that can maintain, repair and provide parts for these pump stations.

SECTION #8
REQUESTS FOR RETROACTIVE APPROVAL FOR THE EXECUTION OF OPTIONS-TO-RENEW (OTR) PERIODS UNDER EXISTING NON-COMPETITIVE CONTRACTS AWARDED UNDER THE MANAGER'S DELEGATED AUTHORITY

Item 8.1

RECOMMENDATION

It is recommended that the Board of County Commissioners ratify the execution of the Option-to-Renew (OTR) periods and approve the final OTR for this non-competitive contract to provide parts and maintenance to the odor control system for the Miami-Dade Water and Sewer Department. Exercising the option-to-renew periods will bring the cumulative value of the contract over \$100,000 for a total value of \$500,000.

Contract No.: BW7577-4/09-3

Contract Title: **Odor Control System Parts and Maintenance**

Description: This contract is established for the purchase of parts and maintenance to the Water and Sewer Department's odor control system.

Initial Contract Term and Estimated Usage: May 1, 2004 through April 30, 2005
\$ 60,000 for one year, with four, one-year options-to-renew
\$ 40,000 modification approved by DPM on August 10, 2004
\$100,000

Option-to-Renew and Estimated Usage:

First Option-to-Renew: May 1, 2005 through April 30, 2006
\$100,000 for one year
Second Option-to-Renew: May 1, 2006 through April 30, 2007
\$100,000 for one year
Third Option-to-Renew: May 1, 2007 through April 30, 2008
\$100,000 for one year
Fourth Option-to-Renew: May 1, 2008 through April 30, 2009
\$100,000 for one year

Using/Managing Agencies and Funding Sources:

<u>Department</u>	<u>Existing Allocation</u>	<u>Funding Source</u>
Water and Sewer	\$100,000	Operating Revenue

Contract Measure: None

Local Preference: Not applicable

User Access Program (UAP): This contract includes the User Access Program (UAP) provision. The 2% discount will be collected.

Vendor:	Address	Principal
•Nutech Environmental Corp. (Non-local vendor)	P.O. Box 14009 Denver, CO 80214	Patricia Barron

Contract Managers: Albert Falcón, Department of Procurement Management

Gregory Hicks, Miami-Dade Water and Sewer Department

JUSTIFICATION

This contract is to provide parts and maintenance to the odor control system in the Miami-Dade Water and Sewer Waste Treatment Plants.

The primary function performed by the odor control system is to control the amount of odor emitted from the treatment of sewage. Because this function is critical to the safe and efficient removal of odors to nearby neighborhoods, it is imperative that the system is operational at all times.

This system was designed and installed more than fifteen years ago by the recommended vendor, Nutech Environmental Corp. This is the only vendor thoroughly familiar with the system and the modifications that have been made throughout the years. Nutech Environmental Corp. is the only qualified company to fulfill the maintenance and parts requirements. It is in the best interest of the County to have this critical maintenance and the availability of parts provided by the vendor who installed the system since its inception.
